



January 31, 2007

VIA ECF

Clerk Thomas Quinn  
United States District Court, District of Massachusetts  
1 Courthouse Way - Suite 2300  
Boston, MA 02210

Re: ITV Direct, Inc. v. Healthy Solutions, LLC, et al., No. 04-10421 (D. Mass.)

Scott A. Silverman  
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Dear Clerk Quinn:

Due to the parties' recent agreement to settle the above-referenced case, we would like to respectfully notify the court that Cappseals hereby withdraws its Motion for Sanctions (Docket No. 170). This withdrawal is without prejudice to Cappseals' ability to renew the motion at a later date should ITV Direct fail to comply with the obligations contained within the parties' settlement agreement.

Respectfully Submitted,

/s/Scott Silverman

Scott A. Silverman

alb

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cc: Daniel J. Kelly, Esq.  
Chris Robertson, Esq.  
Peter Brooks, Esq.